

naval crews are placed aboard to operate the guns and that special inducements are offered these crews to attack German U-boats.

Under these circumstances it is held that the United States should acknowledge that these ships are really "auxiliary warships," should exclude them from the privileges accorded to peaceful merchantmen in American ports and should not expect German submarine commanders to warn them before attack.

It is stated that this contention has not yet been put into official form by the Imperial Government, but it represents the consensus of opinion in German official circles, and the Berlin Foreign Office is expected at any moment officially to endorse this view.

Germany Is Feeling U. S.

Apparently Germany has first desired to make soundings as to how the United States Government would regard such a move. The authoritative explanation of today is the answer of this Government.

Secretary Lansing regards the issue which Berlin is attempting to raise as fully covered in his memorandum of March 23, it is explained.

The important paragraphs which would cover the status of an armed merchant vessel of an enemy encountered on the high seas, since the rights of life and property of belligerents and neutrals on board the vessel may be impaired if its status is that of an enemy warship.

"The determination of warlike character must rest in no case upon presumption, but upon conclusive evidence, because the responsibility for the destruction of life and property depends on the actual facts of the case, and cannot be avoided or lessened by a standard of evidence which a belligerent may announce as carrying a presumption of hostile character."

Must Have Positive Proof.

It is held at the State Department that Germany would have no right to presume that a British merchant vessel is a warship because it is armed for war and self-defense. The German submarine commander must have positive proof that the armament is to be used for offense or must otherwise have definite evidence and not mere presumption. Judgment must be based on the actual facts of each case and not on general statements such as Berlin is apparently endeavoring to establish in justification of attacks without warning.

The fact that German U-boats are now armed with guns and use these effectively makes it necessary, it is held here, for the merchantmen to increase their measures for defense. In other words, the United States believes that armament for defense is to be regarded as defensive armament. Before altering this view there must be facts proving the contrary to be the case. It is explained that the vessels were armed for defense or offense.

Officials here said today that so far nothing had been received from the British Government indicating a proposed change in the method of arming merchantmen. This Government probably will make inquiry on this point.

It is intimated that if the new British Admiralty order actually calls for increased armament, this probably would not cause these ships to be barred from the privileges accorded to peaceable commerce carriers in American ports. Regulations would be made to fit the new circumstances, it is said, and the guiding rule for this Government would be whether the vessels were armed for defense or offense.

BRITISH MAKE GAINS NEAR KUT-EL-AMARA

Capture Turkish First and Second Lines in Front of 4,300 Yards.

LONDON, Jan. 29.—A British official communication issued this evening concerning the fighting on the Iraq front in Asiatic Turkey says:

"As the result of operations Saturday night and Sunday we are now in complete possession of Turkish first and second lines southwest of Kut-el-Amara on the right bank of the Tigris on a front of 4,300 yards. We also hold the enemy third and fourth lines on a front of 500 yards.

"Turkish dead to the number of 550 already have been counted and collected. More remain to be counted. Prisoners approximately 1,250 were taken together with one gun, one Maxim, three trench mortars and a quantity of other material."

Beirut, by wireless, Jan. 29.—Heavy losses were suffered by the British in their recent attacks on the Tigris front, according to the official Turkish announcement of January 27, which says:

"The enemy on January 24 shelled our position heavily, but made no attack. On January 25, south of our position, the British, after a violent artillery bombardment, made an attack with strong forces and succeeded, at the cost of the heaviest losses, in capturing some ground. Two thousand British dead are lying before a small part of our front. On January 26 the enemy made another attack and was repulsed completely."

SCANLAN TO BE AVIATOR.

American Applies for Place in French Flying Corps.

Special Cable Dispatch to The Sun.

PARIS, Jan. 29.—Lawrence Scanlan of Long Island has joined the French aviation service. He was wounded in June, 1915, and has been discharged from the Foreign Legion with the Croix de Guerre after spending eighteen months in the hospital, mostly in Mrs. Fitzgerald's home.

Scanlan applied to become an aviator and has passed the physical examination. His injured knee, which prevents his remaining in the Foreign Legion, does not interfere with work as an aviator.

CUMMINS TO ACT ON WILSON'S ADDRESS

Will Try To-day to Have Time Set Apart for Senate to Discuss Document.

FLURRY IN THE CHAMBER

Connecticut Peace Leagues Send Protest Against Hasty Action.

WASHINGTON, Jan. 29.—Senator Cummins will make an effort to call up tomorrow his resolution setting apart a day for the discussion of the President's peace address. The resolution is certain to lead to sharp debate, but it is doubtful that it will pass the Senate. The attitude of the Democrats is uncertain. They insist that it remain on the calendar or go to the Foreign Relations Committee, Chairman Stone of the Foreign Relations Committee is absent and will not return until Friday or Saturday.

Democratic Senators insist that this is not the time for prolonged discussion in view of the press of legislation, and as an alternative proposal for quick disposition of the subject they have under advisement a resolution which would express it to be the sense of the Senate that the address of the President does not propose abandonment or limitation of the American Monroe Doctrine, nor involve an alteration in foreign policy for any purpose except to preserve the peace of this country or protect American rights.

There was a slight ripple on the Senate surface to-day caused by the reading into the record of a telegram from Senator Brandegee from the Connecticut division of the National League to Enforce Peace. The telegram was as follows:

"We, the officers of the Connecticut branch of the League to Enforce Peace earnestly protest against any action at present by the Senate upon the President's peace address which shall commit the United States to a stand against the eventual participation by our Government in a league to enforce peace. The question is too momentous for action by the Senate till the opportunity has been given for wider popular discussion."

Plea for Delay.

"The league has always emphatically stated that it does not propose any action in connection with the present war or any treaty that shall end it. Consequently there is ample time for thorough discussion and no valid reason for an attempt to commit this Government till such discussion has been had in a matter of such vast importance. Hate and partisanship are alike deplorable."

The telegram aroused Senator Smith of Michigan, who said that there is no question in the arbitration treaties negotiated by the Administration to support the idea of a league of peace.

"The purchase of the Danish West Indies, now about to be consummated, No Senator would for a moment contend that the purchase of these islands by any foreign State would be looked on with favor or would be a proper subject of arbitration. Arbitration would at best merely go to the question of the power of Denmark to sell the islands, while the right of any other country to buy them in this hemisphere would be instantly offensive and in direct contact with the principles of the American Government which have for generations been recognized throughout the world as distinctly applying to our national policy."

"Therefore, Mr. President, I do not feel like allowing this code of rules or propaganda of the peace, which is read here for the information of Senators, to go unchallenged in that respect. Such a contention can find no possible basis in any commitment of this Government thus far made."

Mr. President, no power should ever be conferred on any tribunal which would commit this Government to the submission of questions non-justiciable in character and relating to our national honor to any tribunal outside of the Executive and the Senate of the United States, upon whom was cast the treaty-making power by the fathers of the republic."

Rejoinder From Borah.

A telegram from Frederick Lynch, secretary of the Church of the Union of New York city, upholding the plan for a league of nations to enforce peace, brought forth from Senator Borah of Idaho a sharp rejoinder to-day. In his message Mr. Lynch said that he was sending a petition, with 700 names attached, endorsing the proposed league. In reply Senator Borah said:

"Your telegram advises me that you are forwarding document of 700 names endorsing the idea of a league of nations, etc. I beg to state in reply that a document of seventy names could not make this proposition, so fraught with evil consequences to the peace and happiness of the American people, acceptable to me."

"You seem to want to tie this country up with the broils and dissension of Europe and to involve our nation in the conflict and war of foreign nations, and I am opposed to it, and on documents, nor distinguished names will have the slightest effect in changing my mind."

"I am for the policy of Washington, Jefferson and Monroe and all those whose brains and patriotism made this a republic of peace, and I am against all those whose unwise schemes would make this a republic in arms."

VENIZELISTS FREED BY KING OF GREECE

Royalist Papers Trying to Stir Athens to Boycott the Released Men.

Special Cable Dispatch to The Sun from the London Times.

ATHENS, via Smyrna, Jan. 27.—The Venizelists arrested by royalist troops after the riots of early December have been released from prison by King Constantine, yielding to the demands of the Allies.

Nothing could have passed off more peaceably. The royalist newspapers in Athens—all Venizelists papers are still suppressed—have been fairly boiling over with threats, saying that though the "traitors" might leave the prison gates through foreign coercion nothing could save them from the divine wrath of the Hellenic people. The divine wrath did not manifest itself, so the papers have been trying to stir Athens to boycott the released men, but this has been an equal failure.

The sternness and unexpected continuance of the allied blockade has tried the unstable people. With Germany proving a myth on the horizon they have abandoned themselves to a last-minute which is broken only by demands that the blockade be removed. A well-known politician summed up the situation a few days since when he said: "We're all prisoners, and that's the end of it."

The position as regards Venizelism is interesting. It is generally recognized that the Allies will carry out their word to keep Constantine's dominions intact during the war, but that the victory of the Allies will place Venizelism in a position to be the only means by which Greece will get anything. Constantine is in corresponding degree being discredited, and therefore the whole royalist clique is watching with strained attention for further signs of German victory. Part of their press is even inventing stories of the German conquest of Monastir.

The ceremony of saluting the Allies' flag by Greece, one of the Entente demands, has been carried out in the presence of the Ministers of the Allies.

RUSSIANS CHECKED IN BUKOWINA FIGHT

Tentons in New Position After Meste Canesi Break, Repel Two Attacks.

LONDON, Jan. 29.—Though the Russians now announce that they captured more than 1,000 Austro-Hungarian soldiers and thirty officers in their successful attack in the Meste Canesi region on Saturday, they have not pushed home the initial success. Berlin reports to-day that the Russian guns kept up a strong fire, and that two Russian trenches were broken in front of the new Teton positions.

A hard struggle between Turkish and Russian troops took place on the Zlota Lipa in Galicia on Friday night, at the end of which neither side had attained any permanent advantage. Strong Russian forces got into Turkish trenches near Potutry, exploded six mine galleries, and the Turks had dug to blow up Russian trenches, and then retired to their own lines with twenty-nine prisoners after some fierce hand to hand fighting, mostly with the bayonet.

Snow Checks Riga Fighting.

On the Riga front there was a heavy snowstorm, but the German guns bombarded the positions held by the Russians under Radko Dimitrieff, the Bulgarian general fighting with the Russians. The statements follow:

Russian—In the Riga region the enemy's activity was limited to fire directed against the Russian positions. Southwest of the Galician village of Potutry, six and two-thirds miles south of Berezany, our troops during Friday night gained possession of the bayonet fighting of the enemy's first line trenches. Notwithstanding a number of desperate counter attacks by the Turks which were repulsed with great enemy losses, our troops exploded six enemy mine galleries, demolished six trenches and withdrew to our original positions. After this the Turks twice attacked our detachments, but were beaten back. During our occupation of the enemy's trenches we captured one officer and twenty-eight men of the Turkish rank and file.

Rumanian Front—During the battle of Saturday northeast of Jacobert, southwest of Kinsburg, our detachments took prisoner thirty officers and more than 1,000 men.

Turks Repulse Attack.

On the River As (Riga region) cloudy weather and a snowstorm limited the fighting activities. Turkish troops of the Fifteenth Corps, which is distinguished for its valor, repulsed on the Zlota Lipa Russian attacks which were launched with strong masses after a heavy fire. At one place a speedy counter attack cleared a Turkish trench of the enemy, while in pursuing him a number of prisoners were taken.

German raiding troops on the Narayuvka (Galicia) brought back nine prisoners from a Russian position.

Front of Archduke Joseph—In the Meste Canesi sector the enemy kept up a strong fire during the night. Two Russian attacks failed.

Army Group of Field Marshal von Mackensen—There is nothing important to report.

CLOSER HELGOLAND BLOCKADE.

Newly Mined Area Directed Against German Submarines.

LONDON, Jan. 29.—The Berliner Tageblatt says a dispatch from The Hague, announces a British blockade of Helgoland Light, involving to some extent portions of the Dutch and Danish coasts. It says the measure is mainly directed against the entrance and departure of German submarines.

Advices received in Washington Saturday from the American Embassy at London announced a warning issued of an extension of the North Sea zone designated as "dangerous for shipping," the area extending from a point off the Jutland coast to a point seven miles off the coast of the Netherlands. This takes in the entire German North Sea coast, including the German naval base at Helgoland, and including a large stretch of North Sea waters.

FORCED LABOR FOR INTERNED.

German Army Corps Leader Said to Have Deceived It.

COPENHAGEN, via London, Jan. 29.—The Schleswigsche Grenzpost declares the General commanding the district of the Ninth German Army Corps has proclaimed that all interned and other civilians belonging to nations hostile to Germany shall be forced to do public labor in a manner similar to the Germans called upon for civilian services.

A copy of the Grenzpost has been received here.

RUSSIANS NOT YET READY FOR PEACE

Sergius Sazonoff, Speaking for Nation, Calls Wilson's Speech Untimely.

PART OF SPEECH PUZZLE

It Is Impossible to Understand "Peace Without Victory."

PETROGRAD, via London, Jan. 29.—Sergius Sazonoff, ex-Foreign Minister, who has just been appointed Russian Ambassador to London, commenting on President Wilson's Senate speech in an interview printed in the Russian newspapers to-day, voiced the view of prominent Russians that President Wilson's efforts to prevent a repetition of the world war had his full sympathy and commended the idea of a peace league, but he failed to see the practical value of the speech at this time.

"I must say," said Mr. Sazonoff, "that I cannot see from reading the speech how President Wilson hopes to realize his idea, which is by no means new. It is impossible to understand a peace without victory. It is quite impossible to return to the status quo ante."

Mr. Sazonoff mentioned as the terms without which the Entente Allies could not consider peace these:

"The restoration of Belgium and Serbia and the return to France of Alsace and Lorraine."

"The freedom of Poland and Rumania."

"Russia's domination of the Dardanelles and free access to the sea."

Referring to the development of Russian trade the former Foreign Minister said:

"America and England have declared several times their intention to develop trade relations with Russia and to increase their export of goods to the Russian market. All talk by our enemies that we shall find ourselves under the economic yoke of the English and French has no basis. It is in fact the custom of the English and French to oppress the countries to which they are exporting goods. Germany's dream of economic domination in Europe is a lost hope."

NOT READY FOR PEACE.

Italy Has More of Its People to Save From Austrian Tyranny.

ROME, Jan. 28 (delayed).—"Italy wishes once for all to free the Italians who are still living under Austrian tyranny," said Francesco Ruffini, Minister of Public Instruction in a statement to-day in regard to President Wilson's address to the Senate.

Part of the President's message regarding the possibility of seeking guarantees for future peace is supported in its fundamental ideas by the Entente, which in its note set forth the same aspirations for a stable settlement in Europe.

"The aims of Italy are indispensable conditions of peace. Any peace which does not ensure the entire independence cannot fail to understand Italy's position in the conflict, why Italy cannot lay down her arms until a complete victory is realized, a realization of those aims which are indispensable conditions for a future peace. It is inadmissible that lasting peace could emerge from a situation which would represent the consolidation of oppression and violence. It is inadmissible that the just desire for peace which inspires even neutrals could coincide with submission to brutal and tyrannical power."

SEE FAVOR TO ALLIES.

Austrians Say Wilson Favored Entente in His Speech.

VIENNA, Jan. 27 (delayed).—The Austro-Hungarian press is occupying itself with the reply of the Entente Powers to the American President, due largely to the belief prevailing in political circles here that Mr. Wilson favored the Entente in his speech.

This impression is founded on the President's remark in his Senate speech that the Entente had been more explicit in stating their terms than had the Central Powers. Upon this sentence seems to rest the general idea that President Wilson is favoring the plan of the Entente countries for the partition of the Austro-Hungarian monarchy.

SEES ENGLAND'S HAND.

Berlin Leader Says Lloyd George Wrote Entente Reply.

BERLIN, by wireless, Jan. 29.—In an interview with the Overseas News Agency Count Friedrich von Westarp, a Conservative leader, expresses the opinion that Premier Lloyd George of Great Britain wrote the reply of the Entente to President Wilson, and not Premier Briand of France, as he says is erroneously believed in Germany. He thinks it the evident purpose to show the disinterestedness of Great Britain, saying this in no disparaging way of the national policy of that nation in velling its intentions. Count von Westarp continues:

"England desires to chain her allies still further to British dominion, and knows that to accomplish this a new and special incentive is needed. Therefore she promises in the note everything that the Allies possibly can expect or wish as a result of the war, assembling in the note everything which has been outlined by the most extreme annexationists in the allied countries."

CHARTER TERMINAL SOCIETY.

Engineers to Promote Knowledge of N. Y.'s Shipping Needs.

A new society, designed to promote knowledge of New York's needs as a seaport and railroad terminal and to specialize in mechanical freight handling, has just been chartered under the State law. It is to be known as the Society of Terminal Engineers, and will have its headquarters in this city at 1133 Broadway.

The society is to be open to professors of civil and mechanical engineering and to engineers specializing in terminal work. There are also provisions for associate members and junior members. The society plans to hold regular monthly meetings to further its aims. The part of the program which is so far included the following officers:

President, H. McLa. Harding, New York; vice-presidents, Gen. W. H. Bixby, U. S. A., Washington, and John McGehee, Philadelphia; treasurer, W. J. Barney, New York, and secretary, J. Leonard, New York.

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and tongue, but AFTER smoking, also. Even if you happen to smoke more than usual, **Fatimas** never remind you of it. Their delicately balanced Turkish blend of tested-pure tobaccos takes care of that.

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FATIMA

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20 for 15¢

The Original Turkish Blend

TROOP TRANSPORT SUNK BY GERMANS

Ship Filled With Soldiers Torpedoed in Mediterranean —3 Others Lost.

BERLIN, by wireless, Jan. 29.—The sinking of a transport ship filled with troops in the Mediterranean by a German submarine on January 25 was announced to-day by the Admiralty. The vessel sank in ten minutes. The announcement says:

"A German submarine in the eastern Mediterranean on January 25 sank a fully laden steamer of about 5,000 tons, and on January 15 the armed British tank steamer Garfield, 3,500 tons, bound from Malta to Port Said with coal and oil. The captain of the Garfield was made prisoner."

"The same submarine on January 25, about 250 miles east of Malta, sank with a torpedo an armed hostile transport steamer proceeding eastward, conveyed by a French torpedo boat. The steamer, which was crammed with troops, sank with loss of many lives."

"The Garfield, 3,535 tons gross and 350 feet long, was owned by the Northern Petroleum Tank Steamship Company of Newcastle. She was built in Sunderland in 1907."

Three Steamers Torpedoed.

PARIS, Jan. 29.—A Havas despatch from Madrid to-day reports the crews of the British steamer *Jevington*, 2,747 tons, and the Norwegian steamer *Bostad and Fulton*, 1,030 tons gross, have been landed. All three steamers, according to the message, were torpedoed by a German submarine.

Lloyd's Admits Sinking.

LONDON, Jan. 29.—Lloyd's announced today the sinking of the British steamer *Matheran*, 7,654 tons gross, of Liverpool. The captain and crew of the vessel were landed. Lloyd's also announces the sinking of the Norwegian steamer *Theresadell*, 1,742 tons gross, sunk by a German submarine, has arrived at Las Palmas. The captain was held a prisoner on board the submarine.

GEN. WALTER LONG KILLED.

Noted Young Army Officer Victim of Action on Saturday.

LONDON, Jan. 29.—Brig-Gen. Walter Long, who had been mentioned in despatches twice in the present European war, was killed in action on Saturday. The General was a son of Walter Hume Long, member of Parliament and President of the Local Government Board in the late Asquith Cabinet.

BRITISH DENY RATION SYSTEM. "MY LADY NICOTINE" IN A DIVORCE SUIT

Statement of Parliamentarian Said to Be Unauthorized.

LONDON, Jan. 29.—The statement made at Leicester last night by William C. Anderson, Labor member of Parliament, that the United Kingdom would at an early date be put under a ration system created much discussion, as Mr. Anderson is a member of the Government Food Prices Committee. Lord Devonport, the Food Controller, however, to-night issued the following:

"The statement made by Mr. Anderson to the effect that the population of the country shortly would be put under a ration system is unauthorized and incorrect."

Wife of Theodore Dougherty, Broker, Says Girl Puffed His Cigarette.

Whether pulling a cigarette from a man's lips and puffing it is bad manners but good divorce evidence will be settled by Justice Chohalan in straightening out the marital tangle of Theodore Dougherty and Mrs. Frances Bennett Dougherty, who served her husband yesterday with an amended answer to his divorce suit.

Dougherty, who is a member of the ship brokerage firm of J. F. Whitney & Co., 19 Bridge street, closed with his wife, the daughter of Matthew Bennett, retired diamond merchant of 501 West 135th street, in March, 1902.

A short time ago Dougherty brought action for a decree, mentioning Frederick G. Signor, said to be a wealthy merchant, and Mrs. Dougherty, as a counter suit, in which she accused Helen M. Gibson and Anna White, Yesterday Justice Chohalan denied an increase of her weekly alimony from \$10 to \$15. At the same time Mrs. Dougherty's lawyer, Edward M. Burger of 232 Broadway, served the amended answer.

"One evening while Mr. Dougherty and I were dining at the West End Cafe," says Mrs. Dougherty, "a woman came over to our table, took a cigarette out of Mr. Dougherty's mouth and began to smoke it. She was very friendly with Mr. Dougherty. He said to her in a low voice, 'be careful what you smoke my wife is a little nervous.' The woman was Anna White. I was embarrassed that I immediately left the party and went home."

On another occasion, she declares, she found a notebook in her husband's writing containing the name of Mrs. M. Gibson, with a telephone number. The latter, she says, Dougherty told her was "a ship code signal."

ANTHRAX IN SHAVING BRUSH.

Canadian Medical Officer Dies After 24 Hours Illness.

Special Cable Dispatch to The Sun from the London Times.

LONDON, Jan. 29.—Anthrax contracted from a shaving brush caused the death of Col. Frederick Campbell McLeod of the Canadian Army Medical Corps, who died on Saturday at Bramshot Camp after an illness of only twenty-four hours.

Col. McLeod had a small razor cut upon his face. The bacteria apparently entered the cut from his shaving brush. Col. McLeod was a Nova Scotian, who gave up his medical practice on Cape Breton Island and offered his services in December, 1915. He was assigned to command a unit offered by the University of St. Francis Xavier of Nova Scotia.

Train Wreck Suspect a Deserter.

MADRID, Jan. 29.—A man arrested for the alleged attempt to wreck King Alfonso's train has been identified as Rafael Duran Florin, a deserter from a regiment stationed at Malaga.

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Grain Waterproof Shoes, \$5.50
Arch Support Shoes, \$5.00, \$6.00
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Our prices were \$3.9 and \$4.98

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